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CP Rail System

Computers and Communications
Anthony H Foster
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November 20, 1995

Mr. William Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

RE: PR Docket No. 92-235: Replacement of Part 90 by Part 88 to Revise the Private Land Mobile Services and Modify the Policies Governing them and Examination of Exclusivity and Frequency Assignment Policies of the Private Land Mobile Radio Services.

Dear Mr. Caton:

Canadian Pacific Railway System ("CPRS") hereby submits its comments in the above-referenced proceeding.

CPRS is a transcontinental North American railroad operating 37% of its track in the United States through its Soo Line subsidiary in the midwest and its Delaware & Hudson subsidiary in the northeast. CPRS believes that its experience as a cross-border railroad enables it to provide an important perspective on an issue which has both national and international safety implications.

Radio communications are essential to all facets of CPRS' operations. Radios are constantly used to communicate between the dispatchers and train crews; between train crew members when one is operating the train and others are working on the ground; between train crews and track workers; between crews on different trains; and between train crews and public safety officials. In many parts of the country, freight railroads share track with Amtrak and commuter operations travelling at high speeds. Reliable radio communications are necessary in each of those situations both to protect the public and railroad workers from the possibility of an accident and to signal for emergency response should an accident occur.

I would like to mention just several specific examples of how radios are used in railroad operations and how integral they are to safety. Radio-dependent detectors are used to warn of overheated axles--a particularly serious situation when dangerous cargo is involved. In fact, some 20 years ago, a large part of Toronto's population was evacuated following a derailment caused by an overheated axle. Today detectors sense such problems and send warnings by radio. Dispatchers warn train crews when an approaching grade crossing signal is out of order. Train crews, in turn, notify repairmen when they notice grade crossing signal problems. Work in rail yards involves many people on the ground while cars are moving on many tracks. Radios are the safety link for the entire operation. The bottom line is that there simply is no room in railroad communications for missed, delayed or garbled messages.

The existing system of exclusive railroad control over dedicated frequencies not only works extremely well, it is also indispensable to the safety of railroad operations. The Association of American Railroads ("AAR"), acting as coordinator, ensures that frequencies are assigned in a manner which guarantees clear, reliable communications in a system which spans the entire continental United States. Trains can use a single radio to cross many time zones and cover thousands of miles in a single run when frequencies are judiciously assigned.

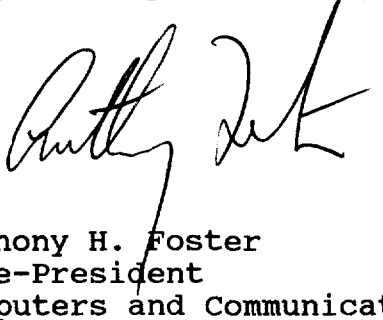
Requiring railroads to participate in a pool with a variety of unrelated users would threaten safety. There would be competition for access to frequencies increasing the likelihood of interference and the possibility that a railroad would not always have immediate access to reliable radio communications. FCC's proposal would exacerbate that problem further by permitting a non-rail entity-- which does not understand the unique nature of railroad communications--to coordinate access. In contrast to current practice, train crews might not only have to shift frequencies every few miles but might also need to carry multiple radios raising the probability of confusion.

Railroad safety precludes the industry from giving up control of its frequencies. Wireless communications will play an even greater role in railroad operations in coming years as railroads develop new technologies to enhance safety. Radio communications are congested in many cities today without the railroads having to share with other users. While many people envision trains running across wide open spaces, the fact is that the Delaware and Hudson and the Soo Line operate in a number of large urban areas including Washington, D.C., New York, Philadelphia, Chicago, Milwaukee, Minneapolis - St. Paul, and Kansas City.

There is an important international dimension to this issue as well. In addition to CPRS and Canadian National, a number of U.S. railroads maintain cross-border operations. There are hundreds of cross-border operations each week including Amtrak passenger service. CPRS alone has 336 cross-border operations each week. They are subject to the same safety considerations that apply to U.S. railroad operations. Railroad radio coordination between the United States and Canada has worked successfully for the past 50 years. In fact, the Canadian agency responsible for communications, Industry Canada, is proposing to grant AAR's counterpart, the Railway Association of Canada ("RAC"), increased authority to coordinate radio frequencies there. Pooling railroad frequencies and permitting non-rail entities to coordinate them increase the prospects of confusion and a diminution of safety in these cross-border movements.

For the foregoing reasons, CPRS respectfully submits that it is essential for the railroads to retain exclusive use and control over dedicated channels assigned to the industry.

Respectfully submitted,



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